



JUDICIARY COMMITTEE

Wednesday, August 11, 2021
Room 327B, State Capitol
Bismarck, North Dakota

Representative Kim Koppelman, Chairman, called the meeting to order at 9:00 a.m.

Members present: Representatives Kim Koppelman, Mary Adams, Ruth Buffalo, Sebastian Ertelt, Karla Rose Hanson, Mary Johnson*, Terry B. Jones, Karen Karls, Lawrence R. Klemin, Jeffery J. Magrum, Bob Paulson, Shannon Roers Jones*, Bernie Satrom, Mary Schneider, Steve Vetter*; Senators JoNell A. Bakke, Robert O. Fors, Diane Larson, Janne Myrdal

Members absent: None

Others present: Representative Jim Schmidt, Huff, member of the Legislative Management
See [Appendix A](#) for additional persons present.

**Attended remotely*

Ms. Samantha E. Kramer, Senior Counsel, Legislative Council, presented a memorandum entitled [Supplementary Rules of Operation and Procedure of the North Dakota Legislative Management](#).

JUVENILE JUSTICE STUDY

Ms. Kramer presented a memorandum entitled [Juvenile Justice Process - Background Memorandum](#).

Ms. Lisa Bjergaard, Chair, Commission on Juvenile Justice, provided testimony ([Appendix B](#)) relating to the study of the juvenile justice system. She noted the Commission on Juvenile Justice should have concrete recommendations for the committee by the end of the 1st quarter of 2022. She also noted although including tribal representation on working groups is limited, most tribal youth involved in the juvenile justice system live off a reservation.

Mr. Mark Heinert, Western Assistant Executive Director, YouthWorks, provided testimony ([Appendix C](#)) relating to the services provided to the state's homeless and runaway youth. He noted YouthWorks is the only organization in the state receiving federal funds to provide services for homeless and runaway youth. He also noted YouthWorks' primary focus is to address the basic needs of the youth it serves and then to assess the next level of needs to ensure youth receive the highest level of support.

FIREARM AND AMMUNITION SHORTAGE STUDY

Ms. Kramer presented a memorandum entitled [Firearm and Ammunition Shortage](#).

Mr. Lonnie Grabowska, Director, Bureau of Criminal Investigation, provided information ([Appendix D](#)) relating to the shortage of firearms and ammunition in the state and the impact on law enforcement. He noted the shortage is the result of a perfect storm of anxiety amongst members of the public and increased demand.

Mr. Brian Gosch, State Director, National Rifle Association, indicated the shortage of ammunition and firearms is the result of very high demand. He noted although the supply has grown over the last year, supply continues to be outpaced by the increased demand.

MEMBERSHIP OF THE BOARD OF UNIVERSITY AND SCHOOL LANDS AND THE INDUSTRIAL COMMISSION STUDY

Ms. Kramer presented a memorandum entitled [Board of University and School Lands and the Industrial Commission](#).

Ms. Jodi A. Smith, Commissioner, Department of Trust Lands, provided testimony ([Appendix E](#)) relating to the membership of the Board of University and School Lands. She noted a difficulty in comparing other states as only half of the 26 states that have a land department also have a land board.

Mr. Tom Bodine, Deputy Commissioner, Department of Agriculture, provided testimony ([Appendix F](#)) relating to the membership of the Industrial Commission. He noted although there is an understanding that the Board of University and School Lands engages with other state agencies, there have not been meetings with the Department of Agriculture.

Representative Schmidt noted during the pandemic the process used to auction land, surface, and subsurface leases was moved to an online system without receiving input from the Department of Agriculture or stakeholders in the oil and gas industry. He also noted the online system was difficult to navigate and resulted in user frustration.

SPOUSAL SUPPORT STUDY

Ms. Kramer presented a memorandum entitled [Spousal Support Study - Background Memorandum](#).

Ms. Carrie Francis and Ms. DeAnn Pladson, North Dakota family law attorneys, provided information ([Appendix G](#)) relating to spousal support.

Ms. Pladson noted the primary concerns among practitioners are the inability to predict an outcome accurately and the level of judicial discretion involved in each case. She noted codifying the court-created Ruff-Fischer guidelines used when dividing property and determining spousal support would be a step in the right direction.

Comments by Interested Persons

Mr. Joe Sheehan noted the existing process for the award of spousal support is inconsistent and there is not an incentive for individuals to settle out of court.

Report

Honorable Jon J. Jensen, Chief Justice, North Dakota Supreme Court, indicated the state courts handled the pandemic better than most states and district judges maintained efficiency in their case loads.

Ms. Sally Holewa, State Court Administrator, North Dakota Supreme Court, indicated North Dakota was able to transition to the use of additional technology with relative ease compared to most other states.

Mr. Tanner Hermanson, intern, North Dakota Supreme Court, provided testimony ([Appendix H](#)) relating to the court's response to COVID-19.

GAMBLING ADDICTION STUDY

Ms. Kramer presented a memorandum entitled [Gambling Addiction - Background Memorandum](#).

Ms. Deborah A. McDaniel, Director of Gaming, Attorney General's office, provided information ([Appendix I](#)) relating to the use of electronic pull-tab devices in use throughout the state.

Ms. Lisa Vig, Director, Gamblers Choice, Department of Human Services, provided testimony ([Appendix J](#)) relating to the economic and societal impacts of gambling addiction in the state. She noted an increase in funding for gambling addiction services from charitable gambling provides an increased appropriation of \$10,000 per quarter for a total of \$40,000 each year. She also noted roughly 1 in 20 individuals who participate in gambling will have an addiction and data from a study conducted in 2016-17 indicated about 19,000 individuals in the state had a gambling addiction.

Comments by Interested Persons

Ms. Gayle Grabow provided testimony ([Appendix K](#)) about her experience with gambling.

Ms. Ann Lewer noted she has been attending outpatient treatment for her gambling addiction since 2002.

Written testimony ([Appendix L](#)) from a person describing their experience with gambling addiction was submitted to the committee.

Committee Discussion

The committee noted the lack of addiction counselors in the state and the need to further discuss options to limit the use of electronic pull tabs.

No further business appearing, Chairman Koppelman adjourned the meeting at 4:25 p.m.

Samantha E. Kramer
Senior Counsel

ATTACH:12